

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3399 – SB 3268

April 2, 2012

SUMMARY OF AMENDMENT (015897): Deletes Section 1 of the bill. States that a “health care provider” is a licensed medical doctor, osteopathic physician, or clinical neurologist with concussion training. States that the act only applies to school youth athletic activities and does not include college or university activities or activities that are entered into for instructional purposes only. Requires the governing authority of each public and non-public middle school, junior high school, and high school to work with the Department of Education to develop guidelines to inform and educate coaches, school administrators, youth athletes, and their parents or guardians, of the nature and risk of concussion or head injuries. Requires each coach (either paid or volunteer) and each athletic director to take an annual course in concussion recognition and head injury safety developed by the Department of Education. Requires an annual concussion and head injury information sheet to be signed and returned by each coach, athletic director, youth athlete, and such athlete’s parent or guardian prior to beginning to coach or participate in athletics. Requires any youth athlete that shows signs, symptoms, or behaviors that are consistent with a concussion to be immediately removed from play. The school shall have the youth athlete examined for head injury or concussion and shall not allow the youth athlete to return to play until they have been cleared by an appropriate health care provider. States that no licensed athletic trainer, physical therapist, certified nurse practitioner, licensed physician’s assistant, chiropractic physician, or other health care provider acting in good faith shall be held liable for an act or omission in good faith. States that “in good faith” does not include willful misconduct, gross negligence, or reckless disregard. Requires all health care professionals, except health care providers, performing any of the functions of the act shall undergo training in the evaluation and management of concussions. Requires health care professionals to complete at least the National Federation of State High School Associations (NFHS) concussion training course and also complete at least four hours of additional training. This act will be effective for athletic activities beginning in the 2012-2013 school year.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$15,100/One-Time

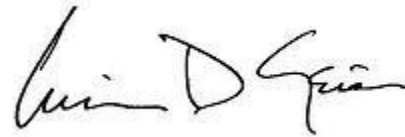
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Assumptions applied to amendment:

- According to the Department of Education (DOE), a committee will be formed to develop the guidelines for concussions and head injuries.
- The DOE will pay for travel and per diem for 10 committee participants who will travel from outside of Nashville for four, two-day meetings.
- DOE estimates that lodging will cost \$110 per night for four nights. The increase in one-time state expenditures for lodging will be \$4,400 ($\$110 \times 4 \times 10$).
- DOE estimates that per diem will be \$49.50 per day for eight days. The increase in one-time state expenditures for per diem will be \$3,960 ($\$49.50 \times 8 \times 10$).
- Mileage will be paid at a rate of \$0.46 per mile. DOE estimates that four participants will travel 164 miles per meeting; three will travel 570 miles per meeting; and three participants will travel 424 miles per meeting. The increase in one-time state expenditures for mileage will be \$6,693 [$(164 \text{ miles} \times 4 \text{ round trips} \times 4 \times \$0.46) + (570 \text{ miles} \times 4 \text{ round trips} \times 3 \times \$0.46) + (424 \times 4 \text{ round trips} \times 3 \times 0.46)$].
- The total increase in one-time state expenditures will be \$15,053 ($\$4,400 + \$3,960 + \$6,693$).
- Any cost associated with concussion or head injury evaluations will be the responsibility of the student-athlete's parent or legal guardian.
- Any increase in local expenditures to keep concussion and head injury forms on file with the LEA will be not significant.
- Any expenditure for the required training course and additional hours of training will be the responsibility of the health care professional. No increase in state or local expenditures for this purpose.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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